

MEMORANDUM

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: October 18-19, 2023

From: STEVEN KECK, Chief Financial Officer

Reference Number: 2.5d.(2), Action Item

Prepared By: Scott Eades
District 05 - Director

Subject: **ALLOCATION FOR PROJECT WITH COSTS THAT EXCEED THE
PROGRAMMED AMOUNT BY MORE THAN 20 PERCENT
PPNO 2736X/EA 1H482 – SANTA CRUZ COUNTY – STATE ROUTE 1
RESOLUTION FP-23-34**

ISSUE:

Should the California Transportation Commission (Commission) approve the California Department of Transportation's (Department) construction support allocation request for \$215,000 for the State Highway Operation and Protection Program (SHOPP) Capital Bridge Preventative Maintenance Program project on State Route (SR) 1, in Santa Cruz County, to begin construction on the project?

RECOMMENDATION:

The Department recommends that the Commission approve the requested construction support allocation for this SHOPP project.

PROJECT DESCRIPTION:

This child project is located on SR 1 in the Town of Capitola, at Soquel Creek Bridge (No. 36-0013), in Santa Cruz County. The project will provide biological monitoring for the parent bridge preservation project (PPNO 2736/EA 1H480).

FUNDING AND PROGRAMMING STATUS:

In January 2022, the parent project was amended to split two mitigation projects and programmed this child biological monitoring project in the SHOPP for \$40,000 in Construction Support for allocation in Fiscal Year 2022-23. In June 2023, the project received a 6-month allocation time extension for the construction support.

*"Provide a safe and reliable transportation network that
serves all people and respects the environment."*

In August 2023, the Engineer's Estimate reflected the need of \$215,000 in Construction Support (437.5 percent over the programmed amount). The Department plans to begin biological monitoring in March 2024. Biological monitoring is planned for ten construction seasons with a duration of 2400 working days.

REASON FOR COST INCREASE:

The Construction Support estimate is greater than the original programmed amount due to the increase in working days from 1200 days to 2400 days and increased level of effort for the project based on permit obligations and requirements.

The original programmed amount was based on 5-years of monitoring over three permits, the 1600 Streambed Alteration Agreement with California Department of Fish and Wildlife (CDFW), 401 Water Quality Certification with the California State Waterboard, and Nationwide 14 Permit with the United States Army Core of Engineers. The Nationwide 14 Permit is a streamlined Clean Water Act Section 404 permit that is required when placing fill in jurisdictional waters. The Nationwide 14 Permit was used to authorize temporary stream diversions and repair of the scour protection around the bridge by replacing failed sacked concrete with rock slope protection.

The original programmed amount did not include increased obligations and requirements for a 10-year period under the CDFW 2081 Incidental Take Permit (ITP). The ITP is issued by CDFW when a project may result in take of a State listed species or impacts to its habitat. The increased obligations include annual biological monitoring and reporting to the permitting agencies, multi season field data collection, and channel surveys. The channel surveys are complex and require specialized staff to perform geological and hydraulic work. The ITP for the parent project was issued in September 2021 and authorizes incidental take of foothill yellow-legged frog and coho salmon as a result of the project activities.

Once the ITP was issued, the Department should have recognized that the number of working days and monitoring had increased, and that an amendment to increase Construction Support was needed, however, this did not occur. The additional monitoring period from 5 years to 10, coupled with the additional obligations and requirements, increased the support need to \$215,000.

CONSEQUENCES:

If the funds are not approved, the Department will not be able to adhere to the CDFW 2081 ITP requirements and the requirements of other permits for the project.

FINANCIAL RESOLUTION:

Resolved, that \$215,000 be allocated for Construction Support, to provide funds to begin biological monitoring on this SHOPP project.

Attachment

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2.5 Highway Financial Matters

Project No.	Location	PPNO	Budget Year	Amount by
Allocation Amount	Project Description	Program/Year	Item # Fund Type	Fund Type
County	Project Support Expenditures	Phase	Program Code	
Dist-Co-Rte		Prgm'd Amount		
Postmile		Project ID		
		Adv Phase		
		EA		

2.5d.(2) Allocations for Projects with Cost Increase Greater than 20 percent**Resolution FP-23-34**

1	In Capitola, at Soquel Creek Bridge No. 36-0013.	<u>Outcome/Output:</u>	05-2736X	505-3290 RMRA	\$215,000
\$215,000	Biological monitoring for parent project EA 1H480.		SHOPP/22-23	20.10.201.119	
			CON ENG		
Santa Cruz	<u>Performance Measure:</u>		\$40,000	2022-23	
05-SCr-1	Planned: 0, Actual: 0 Bridge(s)		CONST	302-3290 RMRA	\$0
13.3			\$0	20.20.201.119	
	Preliminary		0522000017		
	<u>Engineering</u>	<u>Budget</u>	<u>Expended</u>		
	PA&ED	\$0	\$0		
	PS&E	\$0	\$0		
	R/W Sup	\$0	\$0		

CEQA - MND, 3/27/2020; Re-validation 4/28/2022

NEPA - CE, 12/22/2020; Re-validation 4/28/2022

Future consideration of funding approved under
Resolution E-20-49; June 2020.

As part of this allocation request, the Department is requesting to extend
the completion of CON ENG an additional 96 months beyond the 36 month
deadline.

Six month allocation time extension for CON ENG approved under Waiver
23-72; June 2023.